

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF

**DAMARIS AYALA MATOS
XXX-XX-8396
Debtor(s)**

CASE NO. 10-11055-ESL

CHAPTER 13

ASSET CASE

**MOTION TO SUBMIT AMENDED PLAN DATED JANUARY 10, 2011 AS PER TRUSTEE'S
RECOMMENDATION FOR CONFIRMATION AT THE 341 MEETING OF CREDITORS**

TO THE HONORABLE COURT

NOW COMES, debtor through the undersigned attorney and very respectfully prays and states as follows:

1. Debtor submits amended plan dated January 10, 2011 to provide sufficient funds to pay present value.

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of this motion and confirm the amended plan dated January 10, 2011.

I HEREBY CERTIFY: that a copy of this motion was electronically filed by debtor using the CM/ECF System which will send a notification to the standing Chapter 13 Trustee and to all registered interested parties. In addition, a copy of this motion was sent by debtor's attorney to the debtor at the address of record and to all creditors and parties in interest appearing in the master address list not registered in CM/ECF.

RESPECTFULLY SUBMITTED

IN CAROLINA, PUERTO RICO, JANUARY 10, 2011.

/s/ Ramón F. López
RAMON F. LOPEZ (203813)
RAMON F. LOPEZ LAW OFFICES, P.S.C.
ATTORNEY FOR THE ABOVE DEBTOR
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FT BUCHANAN PR 00934
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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: Darmanis Ayala Hatos

BK. CASE # 10-11055-ESL

DEBTOR(S)

CHAPTER 13

CHAPTER 13 PAYMENT PLAN

NOTICE: • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. • This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim. The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. • See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

- The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:
☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.
- The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
- The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED:

☐ PRE ☐ POST-CONFIRMATION

AMENDED PLAN DATED: January 10, 2011

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

\$ 150 x 36 = \$ 5,400
\$ 260 x 24 = \$ 6,240
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
TOTAL = 60 \$ 11,640

Additional Payments:
\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from

☐ Sale of property identified as follows:

☐ Other:

Periodic Payments to be made other than and in addition to the above.
\$ _____ x _____ = \$ _____

To be made on: _____

PROPOSED PLAN BASE: \$ 11,640.00

II. ATTORNEY'S FEES

To be treated as a \$ 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ 3,000.00
b. Fees Paid (Pre-Petition): (\$ 376.00)
c. R 2016 Outstanding balance: \$ 2,624.00

d. Post Petition Additional Fees: \$ _____
e. Total Compensation: \$ 2,624.00

Signed: Darmanis Ayala Hatos
DEBTOR

JOINT DEBTOR

III. DISBURSEMENT SCHEDULE SEQUENCE

- A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.
☒ Secured creditors will retain their liens and shall be paid as follows:

☒ ADEQUATE PROTECTION Payments: Cr. _____ \$ _____

☒ Trustee will pay secured ARREARS:

Cr. Santander Cr. BAA Cr. _____
Acct. 00007901921 Acct. 9616037604 Acct. _____
\$ 300.00 \$ 1,700.00 \$ _____

☐ Trustee will pay REGULAR MONTHLY PAYMENTS:
(please refer to the above related notice, for important information about this provision)

Cr. _____ Cr. _____ Cr. _____
Acct. _____ Acct. _____ Acct. _____
Monthly Pymt. \$ _____ Monthly Pymt. \$ _____ Monthly Pymt. \$ _____

☐ Trustee will pay IN FULL Secured Claims:

Cr. _____ Cr. _____ Cr. _____
\$ _____ \$ _____ \$ _____

☐ Trustee will pay VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
\$ _____ \$ _____ \$ _____

☐ Secured Creditor's interest will be insured. INSURANCE POLICY will be paid through plan:

Cr. _____ Ins. Co. _____ Premium: \$ _____
(Please indicate in "Other Provisions" the insurance coverage period)

☒ Debtor SURRENDERS COLLATERAL TO Lien Holder:

☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY TO:

Santander, Sist. Netia, BAA, Chalets San Fernando, Maint. fee

B. PRIORITIES: The Trustee will pay \$507 priorities in accordance with the law [§1322 (a)(2)].

C. UNSECURED PREFERRED: Plan ☐ Classifies ☐ Does not Classify Claims.

☐ Class A: ☐ Co-debtor Claims: ☐ Pay 100% / ☐ Pay Ahead:

☐ Class B: ☐ Other Class: ☐

☐ Cr. _____ ☐ Cr. _____ ☐ Cr. _____
\$ _____ \$ _____ \$ _____

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$ _____)

☐ Will be paid 100% plus _____ % Legal Interest. ☐ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

Attorney's fees to be paid first.

Any post petition income tax refund that Debtor would be entitled to receive during the term of the plan will be used to fund this plan. Debtor will obtain Court's authorization prior to use tax refunds. Lift of stay in favor of Reliable #5846515900.

ATTORNEY FOR DEBTOR: Ramon F. Lopez Law Offices, P.S.C.

Phone: (787) 276-0196

10-11055-ESL13 DAMARIS AYALA MATOS**Case type: bk Chapter: 13 Asset: Yes Vol: v Bankruptcy Judge: ENRIQUE S. LAMOUTTE
INCLAN****Date filed: 11/29/2010 Date of last filing: 01/03/2011**

Creditors

ADMINISTRACION DE LOS SISTEMAS DE RETIRO

DE LOS EMPLEADOS DEL GOBIERNO (3115966)
PO BOX 42003 (cr)
SAN JUAN, PR 00940

AEELA

PO BOX 362766 (3115967)
SAN JUAN, PR 00936-2766 (cr)

BANCO SANTANDER

PO BOX 362589 (3115968)
SAN JUAN, PR 00936-2589 (cr)

BANK OF AMERICA

PO BOX 15019 (3115969)
WILMINGTON, DE 19886-5019 (cr)

BBVA

PO BOX 71113 (3115970)
SAN JUAN, PR 00936-1113 (cr)

Fia Card Services, NA As Successor In Interest to

Bank of America NA and Mbna America Bank
1000 Samoset Drive (3130740)
DE5-023-03-03 (cr)
Newark, DE 19713

HSBC RETAIL SERVICES

P.O. BOX 60148 (3115971)
CITY OF INDUSTRY, CA 91716 (cr)

RELIABLE FINANCIAL SERVICES

BOX 21382 (3115972)
SAN JUAN, PR 00928-1382 (cr)

SAM'S CLUB

PO BOX 530942 (3115973)
ATLANTA, GA 30353-0942 (cr)

SANTANDER

PO BOX 362589 (3115974)
(cr)

SAN JUAN, PR 00987

THE HOME DEPOT

PO BOX 653000

DALLAS, TX 75265-3000

(3115975)

(cr)

WALMART

PO BOX 960024

ORLANDO, FL 32896-0024

(3115976)

(cr)

PACER Service Center			
Transaction Receipt			
01/10/2011 14:27:49			
PACER Login:	rl0579	Client Code:	
Description:	Creditor List	Search Criteria:	10-11055-ESL13 Creditor Type: All
Billable Pages:	1	Cost:	0.08